

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

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CBC SETTLEMENT FUNDING, LLC,
Plaintiff(s),

Case No.: 7:24-cv-04668-NSR

-against-

EVERLAKE ASSIGNMENT COMPANY f/k/a
ALLSTATE ASSIGNMENT COMPANY,
WILTON REASSURANCE LIFE COMPANY
OF NEW YORK f/k/a ALLSTATE LIFE
INSURANCE COMPANY OF NEW YORK, and
DEMIRAR LOWERY,

Defendant(s).

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**EVERLAKE ASSIGNMENT COMPANY’S AND WILTON REASSURANCE LIFE
COMPANY OF NEW YORK’S NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law dated October 21, 2024, the Declaration of Ilya Schwartzburg dated October 21, 2024 and the exhibits annexed thereto, the Verified Petition of CBC Settlement Funding, LLC (“CBC Settlement”) filed on June 20, 2024 and the exhibits annexed thereto, and upon all prior pleadings and proceedings in this matter, interested parties Everlake Assignment Company f/k/a Allstate Assignment Company and Wilton Reassurance Life Company of New York f/k/a Allstate Life Insurance Company of New York will move this Court before the Honorable Nelson Stephen Roman, U.S.D.J., in Courtroom 218 of the United States Courthouse, located at 300 Quarropas St., White Plains, New York, 10601, at a date and time to be determined by the Court, for an order pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) dismissing Plaintiff’s Verified Petition with prejudice based on this Court’s lack of subject matter jurisdiction and Plaintiffs’ failure to state a claim upon which relief may be granted, together with such other, different, and further relief as this Court deems just and proper.

Dated: October 21, 2024
New York, NY

Respectfully submitted,

By: /s/ Ilya Schwartzburg
Ilya Schwartzburg
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*Attorneys for Everlake Assignment Company
f/k/a Allstate Assignment Company and Wilton
Reassurance Life Company of New York f/k/a
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